

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Telecommunications Relay Services and)	
Speech-to-Speech Services for)	CC Docket No. 98-67
Individuals with Hearing and Speech)	
Disabilities)	
)	
Americans With Disabilities Act)	CG Docket No. 03-123

**REPLY TO COMMENTS ON NOTICE OF PROPOSED RULEMAKING
WORLDCOM, INC. d/b/a MCI**

In these Reply Comments WorldCom, Inc., d/b/a MCI, hereby responds to various issues raised and positions taken in Comments submitted to the above-captioned proceedings.¹

I. THE COMMISSION SHOULD SPONSOR RELAY CENTERS INTO THE TSP PROGRAM AND RECOVER RELAY COSTS ASSOCIATED WITH TSP FROM THE INTERSTATE TRS FUND

All parties commenting on this issue recognize the importance of ensuring that persons with speech and hearing disabilities receive functionally equivalent restoration of service in cases involving national security and emergencies. MCI, Verizon, and Sprint point out that the Commission can best achieve this goal by sponsoring Telecommunications

¹ In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities. CC Docket No. 98-67; Americans With Disabilities Act , CG Docket No. 03-123, Second Report and Order, Order on Reconsideration, and Notice of Proposed Rulemaking ("NPRM"), rel. June 17, 2003.

Relay Service (TRS) Providers into the Telecommunications Service Priority (TSP) service.²

The Commission should ensure that all TRS providers' critical circuits are enrolled in the TSP program and examine options to fund participation in the program. Sprint proposes to have the costs associated with this sponsorship recovered from the Interstate TRS Fund.³

MCI supports this proposal.

II. IP-RELAY CALLS SHOULD BE ENCRYPTED AT THE LEVEL USED IN PREVAILING COMMERCIAL TRANSACTIONS OVER THE INTERNET

The NPRM sought comments on whether alternative security measures such as registration, sign-ins, or passwords should be used to ensure the privacy of communications for calls carried over Internet Protocol Relay (IP-Relay) Service.⁴ No one supported registrations or passwords as a method to ensure privacy of customers' communications. Rather, nearly all believe that IP-Relay calls should be encrypted at the level used in prevailing commercial transactions over the Internet.⁵ California Public Utilities Commission ("CAPUC") believes market choices will determine the appropriate level of security, and so does not see the need for mandating levels of security.⁶ The fact that IP-Relay providers currently apply encryption levels utilized in commercial Internet transactions shows the CAPUC is correct that market choices will determine an appropriate level of security. However, MCI does not oppose the Commission mandating a minimum

² MCI Comments at 1, Verizon Comments at 2, Sprint Comments at 1.

³ Sprint Comments at 2.

⁴ NPRM, &107.

⁵ MCI Comments at 4, Sprint Comments at 2, AT&T Comments at 4, Hands on Video Relay ("HOVR") at 3, Comments of Telecommunications for the Deaf, *et. al.*, ("TDF") at 7.

⁶ Comments of CAPUC at 5.

level of transmission security equal to the level utilized in commercial Internet transactions. Individual IP-Relay providers may adopt additional or more intensive security measures if they wish.

III. THE COMMISSION SHOULD NOT MANDATE TRS PROVIDERS TO ROUTE A WIRELESS RELAY CALL TO THE APPROPRIATE PSAP

With the exception of TDI, no one supports requiring TRS providers to route a wireless TRS caller who requests 911 to be directed to the same public service answering point (PSAP) as would be reached by a normal wireless 911 call.⁷ Sprint, Verizon Wireless, SBC, AT&T, AT&T Wireless, HOVR, MCI, and Hamilton all state that Commission should refrain from making this a mandatory requirement as it is not currently technically feasible.⁸ Sprint maintains that the appropriate governmental method of ensuring wireless TTY callers are able to reach the appropriate PSAP is to require PSAPs to deploy TTY devices that are compatible with digital wireless devices.⁹ MCI agrees that TRS providers should not be required to make the significant investments in facilities and software to make it possible to route a wireless TRS caller who requests 911 to be directed to the same public service answering point (PSAP) as would be reached by a normal wireless 911 call. Individual relay providers who believe this gives them a competitive edge in obtaining TRS contracts may wish to develop this capability.

⁷ TDI Comments at 7.

⁸ Sprint Comments at 4, Verizon Wireless Comments generally, SBC Comments at 2, AT&T Comments at 5, AT&T Wireless Comments generally, HOVR at 3, MCI at 5, Hamilton Comments at 3.

⁹ Sprint Comments at 7.

IV. RELAY PROVIDERS SHOULD BE ALLOWED TO BE REIMBURSED FOR MULTI-LINGUAL TRANSLATION SERVICES THAT SERVE A DEMONSTRABLE NEED THAT IS ECONOMICALLY REASONABLE TO ACCOMMODATE

In this NPRM, the Commission seeks comment on whether it should allow relay centers that employ a non-shared language translation service to be reimbursed from the Interstate TRS Fund (“Interstate Fund”).¹⁰ Commenting parties take divergent positions. Verizon and AT&T argue these services go beyond functional equivalency, and oppose interstate reimbursement for this reason.¹¹ Most other commenting parties support some form of reimbursement.

Sprint and TDI support such reimbursement for any multi-lingual translation services, although Sprint would require one of the parties to the call to speak English or American Sign Language (“ASL”).¹² Sprint argues that deaf children who have been taught ASL require such translation services in order to communicate with their parents when their parents only Spanish.¹³

Communications Services for the Deaf (“CSD”) supports interstate reimbursement if the foreign language is Spanish, but argues that the community of deaf ASL speakers, whose parents speak languages other than Spanish or English, may not be large enough for any language other than Spanish to automatically qualify for interstate reimbursement. CSD

¹⁰ NPRM, &114.

¹¹ AT&T Comments at 8, Verizon Comments at 12.

¹² Sprint Comments at 9, TDI Comments at 9.

¹³ Sprint Comments at 9.

therefore proposes allowing relay providers who voluntarily offer other multi-lingual services to be reimbursed from the Interstate Fund.¹⁴ CAPUC takes a similar position. It opposes any mandatory requirement for multi-lingual services in general, but supports interstate reimbursement when a state relay administrator has determined the community of affected individuals is sufficiently large to justify having the state relay administrator mandate specific translation services for intrastate calling.¹⁵

MCI also takes a similar position. MCI proposed allowing interstate reimbursement when a relay provider voluntarily offers multi-lingual service by employing CAs who are multi-lingual.¹⁶ In states with significant populations of non-English speakers, both the need for and economic reasonableness of, specific multi-lingual services increases. The Commission should therefore allow interstate reimbursement for such services, when either a relay provider voluntarily provides those services from among its CAs or when a state has required this service for intrastate relay calls.

V. THE COMMISSION SHOULD NOT MANDATE CALL SET-UP TIMES

No party supports mandatory call set-up times. Call set-up times may vary for a variety of caller-initiated reasons. TRS providers, as well as the CAPUC, uniformly agree that since reimbursement is most often based on conversation minutes, TRS providers have an incentive to minimize call set-up times.¹⁷

¹⁴ CSD at 6.

¹⁵ CAPUC Comments at 6.

¹⁶ MCI Comments at 6.

¹⁷ MCI Comments at 7, AT&T Comments at 11, SBC Comments at 5, CAPUC Comments at 7, CSD at 6, Sprint Comments at 10

VI. THE COMMISSION SHOULD NOT MANDATE CART

With the exception of TDI, who argues Communications Access Real-time Translation (“CART”) will increase communication speed and make relay more functionally equivalent to a non-relay conversation, no party advocates making CART a mandatory requirement.¹⁸ MCI points out that most TTY users would not realize increased communications speed from CART.¹⁹ Sprint argues that CART is not the only technology designed to increase communication speed, and that it would not be technologically neutral to mandate the provision of CART.²⁰ CAPUC and Hamilton also oppose mandating CART due to its high implementation cost.²¹ The record shows that the net benefits from mandating CART are limited and does not warrant mandating its provision. However, if TRS providers choose to offer CART on a voluntary basis, they should be reimbursed from the Interstate Fund at the rate for traditional relay.

VII. THE COMMISSION SHOULD NOT MANDATE INTERRUPT FUNCTIONALITY

TDI requests the Commission to facilitate greater access to interrupt functionality, but does not specify how to implement that goal.²² As CAPUC, and AT&T point out, non-

¹⁸ TDI Comments at 10.

¹⁹ MCI Comments at 8

²⁰ Sprint Comments at 12.

²¹ CAPUC Comments at 8, Hamilton Comments at 4.

²² TDI Comments at 1.

proprietary protocols that support interrupt functionality are not available. Hence, the majority of TTY users would not benefit were the Commission to mandate this capability.²³

VIII. ACCOMODATION OF LEC VERTICAL SERVICES SHOULD BE REQUIRED IF A RELAY CENTER IS SS7 CAPABLE, BUT LAST NUMBER DIALED AND LINE MONITORING ARE NOT FEASIBLE

TDI urges the Commission to mandate the provision of all LEC services, including not only anonymous call rejection, call screening, and preferred call-forwarding, but also last number dialed, and line monitoring.²⁴ Commenting TRS providers have SS7 capability and point out that they are able to pass SS7 call details that are required to make vertical LEC services such as anonymous call rejection, call screening, and preferred call-forwarding work.²⁵ However, TRS providers and CAPUC uniformly agree that last number dialed and line monitoring would be too expensive and operationally difficult to provide through relay.²⁶

IX. OUTREACH OFFERED BY TRS PROVIDERS PROVIDING SERVICES REIMBURSED SOLELY FROM THE INTERSTATE FUND IS MOST CLEARLY WITHIN THE COMMISSION'S JURISDICTION AND AVOIDS UNFUNDED STATE MANDATES

With the exception of AT&T, all commenting parties agree that the Commission should fund additional education of the general public about the use and availability of relay services from the Interstate Relay Fund.²⁷ They differ on who are the appropriate entities to

²³ CAPUC Comments at 8, AT&T Comments at 12.

²⁴ TDI Comments at 12.

²⁵ MCI Comments at 9, Hamilton Comments at 5, Sprint Comments at 13, AT&T Comments at 13.

²⁶ Sprint Comments at 14, Hamilton Comments at 6, CAPUC Comments at 10, and MCI Comments at 9.

²⁷ AT&T Comments at 14.

perform this outreach and the authority the Commission may use to select these entities. MCI strongly urges the Commission to take action that will lead to a substantial national education of the general public about the use and availability of relay services, whichever of the authorities and agents of outreach the Commission chooses. While MCI advocates a relay-provider based system because it is most clearly within the Commission's jurisdiction, other methods, while not as clearly defined, may pass legal scrutiny.

X. PROVIDERS OF SERVICES REIMBURSED SOLELY FROM THE INTERSTATE RELAY FUND SHOULD BE CERTIFIED BY THE COMMISSION EVERY FIVE YEARS

Parties generally agree that it would be appropriate for the Commission to require the certification of services not also being reimbursed and regulated by certified state relay programs, but inappropriate for the Commission to extend this requirement to services under the regulation of certified state programs.²⁸ This would ensure that Interstate TRS providers, who provide only Interstate TRS services, would be in compliance with the Commission's

²⁸ MCI Comments at 13, SBC Comments at 6, Sorenson Comments at 4, CAPUC at 13, Hamilton Comments at 8, HOVR at 12.

TRS requirements. MCI and HOVR both recommend that the Commission require providers of these services to be re-certified every five years, as is the case for state certification.²⁹

XII. CONCLUSION

For the reasons stated herein, MCI urges the Commission to adopt the positions advocated in these Reply Comments.

Respectfully submitted,

Larry Fenster

Larry Fenster
1133 19th St., NW
Washington, DC 20036
202-736-6513

²⁹ MCI Comments at 13, HOVR at 12.

Statement of Verification

I have read the foregoing, and to the best of my knowledge, information, and belief, there is good ground to support it, and it is not interposed for delay. I verify under penalty of perjury that the foregoing is true and correct.

Executed on October 9, 2003

Larry Fenster

Larry Fenster

1133 19th St., NW
Washington, DC 20036
202-736-6513

CERTIFICATE OF SERVICE

I, Elizabeth Bryant hereby certify that on this 9th day of October 9, 2003 copies of the foregoing were served by regular mail or E-mail on the following:

J. G. Harrington
Jason E. Radenmacher
DOW, LOHNES & ALBERTSON, pllc
1200 New Hampshire Ave., N.W.
Washington, DC 20036

Harisha J. Bastiampillai
SWIDLER BERLIN SHEREFF FRIEDMAN,
LLP
3000 K Street, N.W., Suite 300
Washington, DC 20007-5116

Ann H. Rakestraw
Verizon
1515 North Courthouse Road, Suite 500
Arlington, VA 22201

Davida M. Grant, Gary L. Phillips
Paul K. Mancini
SBC Communications Inc.
1401 Eye Street, N.W., Suite 400
Washington, DC 20005

George L. Lyon, Jr.
LUKAS, NACE, GUTIERREZ & SACHS
1111 19TH Street, N.W., Suite 1200
Washington, DC 20036

Randolph L. Wu, Helen M. Mickiewicz
Jonady Hom Sun
Public Utilities Commission State of Calif.
505 Van Ness Avenue
San Francisco, CA 94102

David A. O'Connor
Holland & Knight LLP

2099 Pennsylvania Ave., N.W., Suite 100
Washington, DC 20006
Michael B. Fingerhut
Richard Juhnke
Sprint Corporation
401 9th Street, N.W., Suite 400
Washington, DC 20004

Norman H. Horton, Jr.
Messer, Caparello & Self, P.A.
P.O.Box 1876
Tallahassee, FL 32302-1876

Karen Peltz Strauss
KPS Consulting
3508 Albemarle Street, N.W.
Washington, DC 20008

Peter Jacoby, Leonard J. Cali
Lawrence J. Lafaro, Peter H. Jacoby
AT&T Corp.
One AT&T Way, Room 3A251
Bedminster, NJ 07921

Douglas I. Brandon
VP, External Affairs
AT&T Wireless Services, Inc.
1150 Connecticut Ave., N.W., Suite 400
Washington, DC 20036

Devaney & Associates, Inc.
606 Providence Road
Towson, MD 21286

John T. Scott, III
VP and Deputy General Counsel

Verizon Wireless
1300 I Street, N.W., Suite 400-West
Washington, DC 20005

Jonathan Villet
OneWorld Communications
1874 Fell Street
San Francisco, CA 94117

Richard A. Askoff
80 South Jefferson Road
Whippany, N.J. 07981

Qualex (by email)
QualexInt@aol.com

Damara Paris (by email)
Telecommunications Assistance Program
damara.paris@state.or.us

L. Elizabeth Bryant
L. Elizabeth Bryant